

passed in 1965 that establishes such a procedure.

In addition, this section would protect the right to vote for President and Vice-President for most people who leave Maryland but who were registered voters when they were here, but move to a new state too soon before a presidential election to qualify for the residence requirements of their new state. This is a provision that is being added to many constitutions right now, and the Committee felt that this option should be granted to the General Assembly.

Section 4 states that a person shall not be deemed ineligible to vote solely by reason of the fact that he resides on land over which the United States exercises jurisdiction. Under controlling court interpretation of the residence requirements of the present Maryland Constitution, persons who reside on land over which the United States exercises exclusive jurisdiction are not deemed residents of Maryland for purposes of voting.

We tried hard to identify these persons and to find out how many indeed there were, and after contacting all the federal reservations within the State of Maryland, we determined that there are about 511 persons who pay Maryland taxes, educate their children in the public schools, and in every other way participate in the social and economic life of the State who are denied the right to vote because they live on such federal enclaves.

The Committee strongly recommends that this unfortunate and unfair situation be remedied. This language grants no special privilege. Residents of federal enclaves would still be required to meet whatever requirements or standards are set up for everyone else.

The committee recommendation says only that these persons not be disqualified by virtue of the fact that they live on land over which the United States extends jurisdiction. This would not in any way affect military personnel. They are protected in their right of franchise by federal legislation, and the information we have received from the military commanders within the State indicates that most people stationed here exercise their franchise within their states of residence and will continue to do so, and anyone who might wish to become residents of Maryland for voting purposes would become residents for state income tax purposes, and would be required to assume all the duties and responsibilities relating to such residence.

Section 5 establishes bases for disqualification by reason of conviction of a serious crime or adjudication *non compos mentis*. The present Constitution reads: "No person above the age of twenty-one years, convicted of larceny, or other infamous crime, unless pardoned by the governor, shall ever thereafter be entitled to vote at any election in this State; and no person under guardianship, as a lunatic, or, as a person *non compos mentis*, shall be entitled to vote."

Speaking to the second sentence of section 5 first, this directs the General Assembly by public general law to establish disqualifications for voting by reason of conviction of serious crimes and directs that they shall by law provide for the removal of such disqualification.

First of all, the Committee made no attempt to define serious or to make any distinction between the present language of infamous and serious. This we felt was the business of the General Assembly.

However, we did say in this second sentence that at the time that the General Assembly shall establish the basis for disqualification, they should also establish the basis for requalification. The present situation demands that persons who are disqualified by reason of conviction of crime have to go through the process of applying for a pardon in order to gain back their right to vote. We felt that there should be some automatic procedure whereby people would not have to go through the process of applying for a pardon, which is a public process, a process which involves some legal procedures, but that once whatever the standards were that the General Assembly established for conviction of crime or punishment or whatever, there should be some opportunity for the General Assembly to recognize that the restoration of the franchise should bear some relation to the completion of the sentence, or to whatever they decide. We felt it was important that the provisions for the re-establishment after disqualification be as mandatory as the provisions for the establishment of the disqualification.

The second part of the sentence, "and no person under guardianship as a lunatic or as a person *non compos mentis* shall be entitled to vote," is a reconstitution of the present language in the Constitution.

From the evidence presented, the Committee felt that disqualification on the basis of *non compos mentis* should be continued until the adjudication is removed or vacated. The Committee felt that there should